

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NORTEK INC.,

Plaintiff,

-against-

ITT LLC,

Defendant.

**ORDER**

21-CV-03999 (PMH)

PHILIP M. HALPERN, United States District Judge:

A premotion conference was held on January 31, 2024, concerning the parties' anticipated motions for summary judgment (Doc. 88 and 89) and Plaintiff's anticipated motion to preclude use of Defendant's expert's testimony at summary judgment. (Doc. 91). Counsel for all parties appeared.

As explained more fully at the conference, the Court granted Plaintiff's motion to preclude the testimony of Defendant's expert—Professor Steven Solomon—at summary judgment. (Doc. 91). Additionally, the Court granted the parties leave to move for summary judgment and set the following briefing schedule: Defendant's motion for summary judgment shall be served, not filed, on February 29, 2024; Plaintiff's combined opposition and motion for summary judgment shall be served, not filed, on March 29, 2024; Defendant's combined reply and opposition to Plaintiff's motion for summary judgment shall be served, not filed, on April 29, 2024. Plaintiff shall advise the Court by May 6, 2024 whether it requests to file a reply brief in support of its motion for summary judgment. If the Court grants Plaintiff permission to file a reply brief, the Court will provide a due date for the reply brief and all summary judgment motion papers shall be filed on that date. If the Court does not permit Plaintiff to file a reply brief, the Court will provide a date for the filing of all summary judgment papers.

Dated: White Plains, New York  
January 31, 2024

**SO ORDERED:**

A handwritten signature in black ink, appearing to read 'Philip M. Halpern', written over a horizontal line.

Philip M. Halpern  
United States District Judge